



**KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES
TOURISM, ARTS AND HERITAGE CABINET**

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**Letter of Declaration for Temporary Change in Rainbow Trout Regulations in
Cumberland Lake Tailwaters**

During September, 2009, the following emergency regulation was initiated in the Cumberland River below Wolf Creek Dam. The regulation will be in effect until further notice:

- **10 rainbow trout daily under 15 inches total length (TL) or 9 rainbow trout under 15 inches and one longer than 20 inches TL.**
- **No harvest of rainbow trout from 15 to 20 inches TL is permitted.**
- **Brown trout regulations include a 20-inch size limit and one fish daily.**

The following letter describes the circumstances behind this emergency regulation:

This letter serves notice that on September 10, 2009, the Kentucky Department of Fish and Wildlife Resources (KDFWR) issued an emergency, temporary regulation change for Cumberland Lake Tailwater trout pursuant to Regulation 301 KAR 3:040. The details of the temporary changes are described below.

On September, 9 2009, KDFWR received notice from Mr. James Gray, USFWS hatchery manager at the Wolf Creek Hatchery, that it was imperative that we take from the hatchery as many rainbow trout as possible to decrease densities currently present in the hatchery's raceways. Mr. James indicated that water normally pumped from Cumberland Lake was too warm and devoid of oxygen, and therefore, it was necessary for the hatchery to pump water from the tailwater exclusively using both of the available water pumps. Mr. James indicated that if one of the pumps should fail, there would be no backup water supply, and many trout would die. Additionally, water temperatures and dissolved oxygen levels at the pump's intakes in the tailwater were marginal at best for rearing trout.

After reviewing our options concerning stocking rainbow trout in other waters around the state, it is apparent (because of current water temperatures) that we have no alternative but to stock the

21,000 rainbow trout in the Cumberland tailwater. Since trout currently in the tailwater are exhibiting slow growth and poor condition factors, stocking additional rainbow trout is not recommended under our present regulations that include creel limits of five rainbow trout daily under 15 inches total length (TL) or four rainbow trout under 15 inches and one longer than 20 inches TL. No harvest of rainbow trout from 15 to 20 inches TL is permitted. **In order to facilitate harvest of the smaller rainbow trout in the tailwater (including those from the recent emergency stockings), we recommend increasing the number of rainbow trout harvested daily to 10 rainbow trout under 15 inches TL or nine rainbow trout under 15 inches plus one over 20 inches; we would retain the 15 – 20 inch slot limit. We recommend leaving the slot and one-over regulation intact in order to promote quality-size rainbow trout in the tailwater and not lose the several years it would require to restore the quality fishery.** Additionally, we will continue this regulation for the duration of time that Wolf Creek Dam maintenance prevents the USACE from allowing the lake to fill to normal water levels. Several years of low lake water levels has resulted in warmer water releases to the tailwater during summer and early fall periods, and this has decreased the number of miles suitable to the trout species. This has apparently resulted in overcrowding as trout located in the lower reaches of the tailwater moved to more suitable water temperatures in the upper reaches; therefore, the resultant decrease in forage available per fish and deteriorating body conditions for the trout. By leaving the emergency regulation on until normal lake water levels are reached, angler pressure and increased harvest should alleviate potential overcrowding due to this emergency, overstocking event and/or movement and allow more normal growth to occur. The brown trout regulation will not be changed.

The Cumberland tailwater is known across the country for its excellent trout fishery, and especially for the number of larger trout inhabiting the tailwater. This emergency regulation allows us to attempt to preserve this fishery.



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